

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DOUGLAS SEVILLE, }
Petitioner, }
v. } Civil Action No. 06-236 Erie
TOM CORBET, et al., }
Respondents. }

MEMORANDUM ORDER

This petition for writ of habeas corpus was transferred from the U.S. District Court for the Middle District of Pennsylvania on October 16, 2006 and was referred to Chief United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Chief Magistrate Judge's Report and Recommendation, filed on July 13, 2007 [28], recommends that the petition for writ of habeas corpus be dismissed for lack of jurisdiction and that a certificate of appealability be denied. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Petitioner by certified mail at his address of record and on Respondents. Objections were filed by Petitioner on July 24, 2007 [29]. After de novo review of the petition and documents in the case, together with the Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 26th day of July, 2007;

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus is DISMISSED for lack of jurisdiction and that a certificate of appealability is DENIED.

The Report and Recommendation of Chief Magistrate Judge Baxter,
dated July 13, 2007 [28], is adopted as the opinion of the Court.

/s Sean J. McLaughlin
SEAN J. McLAUGHLIN
United States District Judge

cm: All parties of record.
Chief U.S. Magistrate Judge Susan Paradise Baxter